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Signify North America Corporation  
13 and Signify Holding B.V.

14

15 **UNITED STATES DISTRICT COURT**  
16 **NORTHERN DISTRICT OF CALIFORNIA**

17 SIGNIFY NORTH AMERICA CORPORATION  
18 and  
SIGNIFY HOLDING B.V.

CASE NO.

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

19 Plaintiffs,

20 v.

21 KIND LED GROW LIGHTS LLC  
22 and  
SUPERCLOSET (d/b/a KIND LED GROW LIGHTS)

23 Defendants.

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1 Plaintiffs Signify North America Corporation and Signify Holding B.V. (collectively,  
 2 “Signify”) for their complaint against Defendants Kind LED Grow Lights, LLC and Supercloset  
 3 (d/b/a Kind LED Grow Lights) (collectively, “Defendants”) allege as follows:

4 **NATURE OF THE ACTION**

5 1. This is a civil action for patent infringement arising under the patent laws of the  
 6 United States, 35 U.S.C. § 1 *et seq.* including 35 U.S.C. § 271, which gives rise to the remedies  
 7 specified under 35 U.S.C. §§ 281 and 283-285.

8 **THE PARTIES**

9 2. Plaintiff Signify North America Corporation is a corporation organized and  
 10 existing under the laws of Delaware with its principal place of business at 200 Franklin Square  
 11 Drive, Somerset, New Jersey 08873.

12 3. Plaintiff Signify Holding B.V. is a corporation organized and existing under the  
 13 laws of the Netherlands with its registered office at High Tech Campus 48, 5656 AE  
 14 Eindhoven, The Netherlands.

15 4. On information and belief, Defendant Kind LED Grow Lights, LLC is a limited-  
 16 liability corporation organized and existing under the laws of California with a place of business  
 17 at 3555 Airway Drive, Santa Rosa, California 95403, was formed in or about 2019, and has sold  
 18 and continues to sell products under the Kind LED Grow Lights brand. On information and  
 19 belief, Kip Andersen is a key principal at Defendant Kind LED Grow Lights, LLC.

20 5. On information and belief, Defendant Supercloset (d/b/a Kind LED Grow  
 21 Lights) a corporation organized and existing under the laws of California with a place of  
 22 business at 3555 Airway Drive, Santa Rosa, California 95403, was formed in or about 2002,  
 23 was registered to do business as Kind LED Grow Lights from at least 2014 to 2019, and has  
 24 sold and continues to sell products under the Kind LED Grow Lights brand. On information and  
 25 belief, Kip Andersen is a key principal at Defendant Supercloset.

26 **JURISDICTION AND VENUE**

27 6. This Court has subject-matter jurisdiction over this patent infringement action  
 28 pursuant to 28 U.S.C. §§ 1331 and 1338.

1       7. This Court has personal jurisdiction over Defendants, on information and belief,  
2 for at least the following reasons: (i) Defendants have committed acts of patent infringement in  
3 this District; (ii) Defendants regularly conduct business, solicit business, and/or derive  
4 substantial revenue from products provided within this District, including products that infringe  
5 patented technology; and (iii) Defendants share a place of business within this District at 3555  
6 Airway Drive, Santa Rosa, California 95403.

7       8.     Venue properly lies in this District. Pursuant to 28 U.S.C. § 1400, on information  
8 and belief, Defendants have committed acts of patent infringement in this District and share a  
9 regular and established place of business in this District at 3555 Airway Drive, Santa Rosa,  
10 California 95403.

## THE PATENTS-IN-SUIT

12        9. Signify, formerly Philips Lighting, is a global market leader with recognized  
13 expertise in the development, manufacturing, and application of innovative LED lighting  
14 solutions. Signify's LED lighting products have been installed and utilized throughout the  
15 world, including on San Francisco City Hall (<https://www.signify.com/en-us/blog/archive>  
16 /showcase/five-years-of-dynamic-led-lighting-by-color-kinetics)



1 and the San Francisco Bay Bridge (<https://www.signify.com/global/our-company/news/press-release-archive/2016/20160128-artist-leo-villareal-shines-a-permanent-light-on-san-francisco-with-led-lighting-from-philips>).



10. To protect its innovations resulting from its significant investments, Signify applied for and obtained numerous patents directed to various LED inventions and technologies. For example, Signify's LED-related patents include U.S. Patent Nos. 6,250,774, 6,692,136, 7,348,604, and 7,766,518 (collectively, the "Patents-in-Suit").

11. U.S. Patent No. 6,250,774 ("the '774 Patent"), titled "Luminaire," was duly and legally issued by the United States Patent and Trademark Office on June 26, 2001. Plaintiff Signify North America Corporation is the assignee and owner of all right, title, and interest in the '774 Patent, a copy of which is attached as Exhibit 1.

12. U.S. Patent No. 6,692,136 ("the '136 Patent"), titled "LED/Phosphor-LED Hybrid Lighting Systems" was duly and legally issued by the United States Patent and Trademark Office on February 17, 2004. Plaintiff Signify Holding B.V. is the assignee and owner of all right, title, and interest in the '136 Patent, a copy of which is attached as Exhibit 2.

13. U.S. Patent No. 7,348,604 ("the '604 Patent"), titled "Light-Emitting Module," was duly and legally issued by the United States Patent and Trademark Office on March 25,

1 2008. Plaintiff Signify Holding B.V. is the assignee and owner of all right, title, and interest in  
2 the '604 Patent, a copy of which is attached as Exhibit 3.

3 14. U.S. Patent No. 7,766,518 ("the '518 Patent"), titled "LED-Based Light-  
4 Generating Modules for Socket Engagement, and Methods of Assembling, Installing and  
5 Removing Same," was duly and legally issued by the United States Patent and Trademark Office  
6 on August 3, 2010. Plaintiff Signify North America Corporation is the assignee and owner of all  
7 right, title, and interest in the '518 Patent, a copy of which is attached as Exhibit 4.

8 **COUNT ONE**

9 **INFRINGEMENT OF U.S. PATENT NO. 6,250,774**

10 15. Signify incorporates by reference the allegations in paragraphs 1-14 as if fully set  
11 forth herein.

12 16. On information and belief, Defendants have infringed claims of the '774 Patent,  
13 including at least claim 1, in violation of 35 U.S.C. § 271(a) by manufacturing, using, offering to  
14 sell, selling, and/or importing infringing products.

15 17. Claim 1 of the '774 patent recites:

16 A luminaire comprising:

17 a housing with a light emission window,

18 at least one lighting module in said housing for illuminating an  
19 object outside said housing,

20 the lighting module comprising a set of lighting units,

21 each of said lighting units comprising at least one LED chip and  
22 an optical system configured to illuminate portions of the object during  
23 operation, each said LED chip supplying a luminous flux of at least 5 lm  
24 during operation.

25 18. On information and belief, Defendants have directly infringed, at least, claim 1 of  
26 the '774 Patent by making, using, offering to sell, selling, and/or importing at least L300 and  
27 XL750 products in this judicial district and elsewhere in the United States.

## **Infringing L300 Products**

19. On information and belief, L300 products are luminaires. An L300 product is shown in the below image, from an archived version of Defendants' website (<http://web.archive.org/web/20160501072525/https://kindledgrowlights.com/product/led-grow-lights-k3-l300/>):



20. On information and belief, L300 products include a housing with a light emission window; for example, L300 products include a housing formed, at least in part, by a metal frame that defines a series of apertures, each forming a light emission window for a light output of a respective LED.

21. On information and belief, L300 products include at least one lighting module in said housing for illuminating an object outside said housing, the lighting module comprising a set of lighting units, each of said lighting units comprising at least one LED chip and an optical system configured to illuminate portions of the object during operation; for example, L300 products include multiple lighting modules enclosed within the housing. The lighting modules each include a set of lighting units. Each lighting unit is formed by an LED die and an optical system, itself formed by a dome lens and a secondary optical lens.



1           22. On information and belief, the lighting units illuminate portions of the canopy of  
2 a plant or plants, as shown in the image below (from the L300 user manual, available at  
3 [https://cdn.shopify.com/s/files/1/1260/1841/files/KIND\\_K3\\_INSTRUCTIONS\\_2016.pdf?3638442959736875800](https://cdn.shopify.com/s/files/1/1260/1841/files/KIND_K3_INSTRUCTIONS_2016.pdf?3638442959736875800)):



14        23. On information and belief, each said LED chip supplies a luminous flux of at  
15 least 5 lm during operation; for example, each LED die is a 3W chip that supplies a luminous  
16 flux of more than 5 lm during operation.

## Infringing XL750 Products

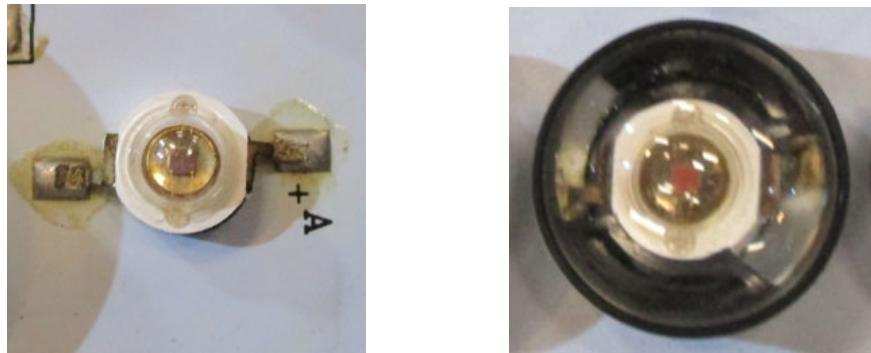
18       24. On information and belief, XL750 products are luminaires. An XL750 product is  
19 shown in the below image, from an archived version of Defendants' website ([http://web.  
20 archive.org/web/20160501072716/https://kindledgrowlights.com/product/best-led-grow-light-  
21 k5-xl750/](http://web.archive.org/web/20160501072716/https://kindledgrowlights.com/product/best-led-grow-light-k5-xl750/)):



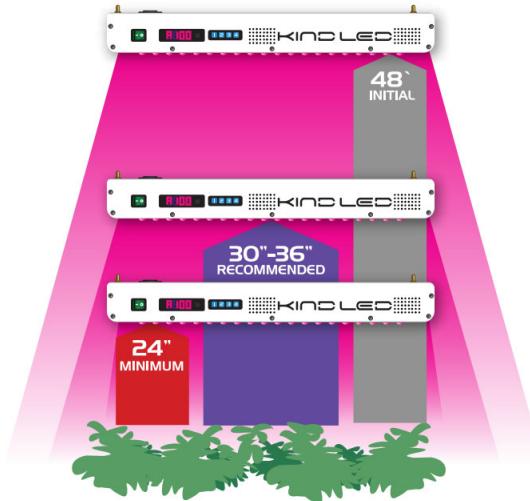
25. On information and belief, XL750 products include a housing with a light  
26 emission window; for example, XL750 products include a housing formed, at least in part, by a

1 metal frame that defines a series of apertures, each forming a light emission window for a light  
 2 output of a respective LED.

3       26. On information and belief, XL750 products include at least one lighting module  
 4 in said housing for illuminating an object outside said housing, the lighting module comprising a  
 5 set of lighting units, each of said lighting units comprising at least one LED chip and an optical  
 6 system configured to illuminate portions of the object during operation; for example, XL750  
 7 products include multiple lighting modules enclosed within the housing. The lighting modules  
 8 each include a set of lighting units. Each lighting unit is formed by an LED die and an optical  
 9 system itself formed by a dome lens and a secondary optical lens.



10       27. On information and belief, the lighting units illuminate portions of the canopy of  
 11 a plant or plants, as shown in the image below (from the XL750 user manual, available at  
 12 [https://cdn.shopify.com/s/files/1/1260/1841/files/K5\\_BOOK\\_WEB\\_2016\\_new.pdf?13484645307279714259](https://cdn.shopify.com/s/files/1/1260/1841/files/K5_BOOK_WEB_2016_new.pdf?13484645307279714259)):  
 13



1       28. On information and belief, each said LED chip supplies a luminous flux of at  
2 least 5 lm during operation; for example, each LED die is a 3W or 5W chip that supplies a  
3 luminous flux of more than 5 lm during operation.

4       29. The full extent of Defendants' infringement is not presently known to Signify. On  
5 information and belief, Defendants have made and sold products under different names or part  
6 numbers that have infringed the '774 Patent in a similar manner. Signify makes this preliminary  
7 identification of infringing products and infringed claims in Count One without the benefit of  
8 discovery or claim construction in this action, and expressly reserves the right to augment,  
9 supplement, and revise its identifications based on additional information obtained through  
10 discovery or otherwise.

11       30. Signify has suffered damages as a result of Defendants' infringement of the '774  
12 Patent in an amount to be determined at trial.

13       31. On information and belief, Defendants have been aware of and have had notice  
14 and actual knowledge of the '774 Patent and its infringement of the '774 Patent since at least as  
15 early as May 2016. For example, Defendants and Kip Andersen were notified in a letter dated  
16 May 17, 2016 that Defendants' L300 products infringed the '774 Patent. This notice serves as  
17 actual notice for, at least, L300 products and for all substantially similar products, such as  
18 XL750 products. Further, upon information and belief, K3 series L450 and L600 products and  
19 K5 series XL1000 products are believed to be substantially similar to L300 products and, thus,  
20 Defendants and Kip Andersen were likewise on actual notice of infringement for these products  
21 by the letter of May 17, 2016.

22       32. Defendants' pre-suit knowledge of the '774 Patent and failure to substantively  
23 address Signify's numerous notifications of infringement are sufficient to support a plausible  
24 inference that Defendants' infringement was willful and egregious, warranting enhancement of  
25 damages under 35 U.S.C. § 284, and attorneys' fees and costs incurred under 35 U.S.C. § 285.

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1 **COUNT TWO**

2 **INFRINGEMENT OF U.S. PATENT NO. 6,692,136**

3 33. Signify incorporates by reference the allegations in paragraphs 1-14 as if fully set  
4 forth herein.

5 34. On information and belief, Defendants have infringed claims of the '136 Patent,  
6 including at least claims 1, 3, and 5 in violation of 35 U.S.C. § 271(a) by manufacturing, using,  
7 offering to sell, selling, and/or importing infringing products.

8 35. Claim 1 of the '136 Patent recites:

9 A lighting system for producing white light, the system comprising:

10 at least one light emitting diode; and

11 a phosphor-light emitting diode disposed adjacent to the at least  
12 one light emitting diode.

13 36. Claim 3 of the '136 Patent recites:

14 The lighting system according to claim 1, further comprising at least a  
15 second light emitting diode.

16 37. Claim 5 of the '136 Patent recites:

17 The lighting system according to claim 3, wherein the light emitted from  
18 the light emitting diodes are of the same general color but have different  
19 spectral wavelengths.

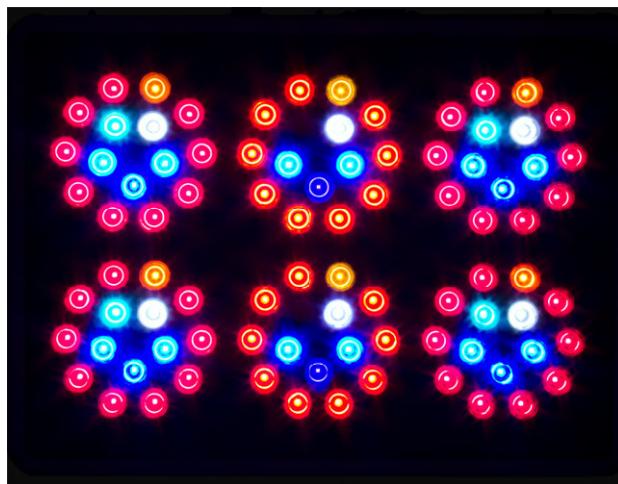
20 38. On information and belief, Defendants have directly infringed, at least, claims 1,  
21 3, and 5 of the '136 Patent by making, using, offering to sell, selling, and/or importing at least  
22 L300, XL300, XL750, and XL750 WiFi products in this judicial district and elsewhere in the  
23 United States.

24 **Infringing L300 Products**

25 39. On information and belief, L300 products produce white light.

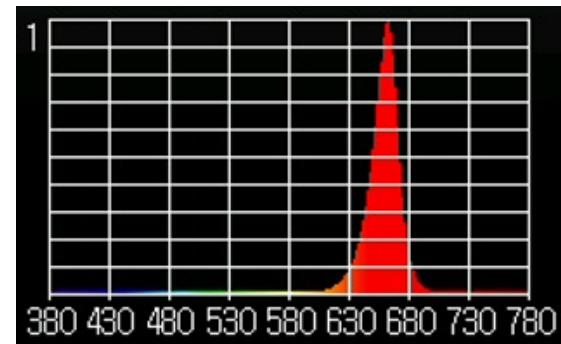
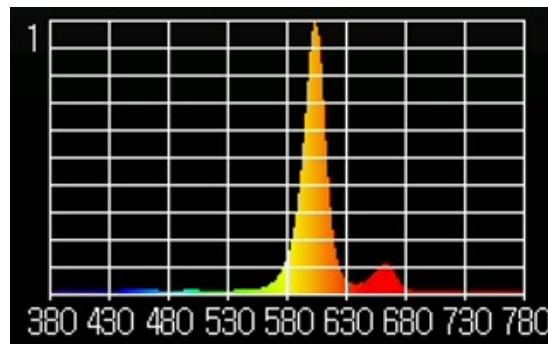
26 40. On information and belief, L300 products include at least one light emitting  
27 diode; for example, L300 products include a plurality of light emitting diodes.

1       41. On information and belief, L300 products include a phosphor-light emitting diode  
 2 disposed adjacent to the at least one light emitting diode; for example, L300 products include a  
 3 plurality of phosphor light emitting diodes, each of which comprises a blue light emitting diode  
 4 coated with a phosphor in order to produce white light, and each of which is positioned next to a  
 5 light emitting diode. (The below image of an illuminated L300 product is from an archived  
 6 version of Defendants' website available at [http://web.archive.org/web/20160501072525  
 7 /https://kindledgrowlights.com/product/led-grow-lights-k3-l300/](http://web.archive.org/web/20160501072525/https://kindledgrowlights.com/product/led-grow-lights-k3-l300/).)

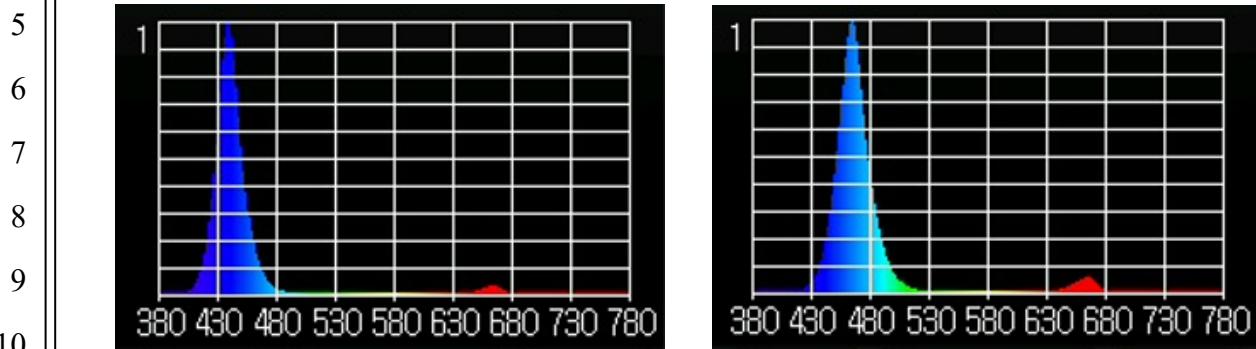


16       42. On information and belief, L300 products include at least a second light emitting  
 17 diode; for example, the plurality of light emitting diodes include at least two red light emitting  
 18 diodes.

19       43. On information and belief, the light emitted from the light emitting diodes are of  
 20 the same general color but have different spectral wavelengths; for example, the two red LEDs  
 21 have different spectral wavelengths: a first red LED with a spectral peak of approximately 603  
 22 nm and a second red LED with a spectral peak of approximately 661 nm.



44. On information and belief, in the alternative, the plurality of light emitting diodes include at least two blue light emitting diodes that have different spectral wavelengths: a first blue LED with a spectral peak of approximately 438 nm and a second blue LED with a spectral peak of approximately 465 nm.

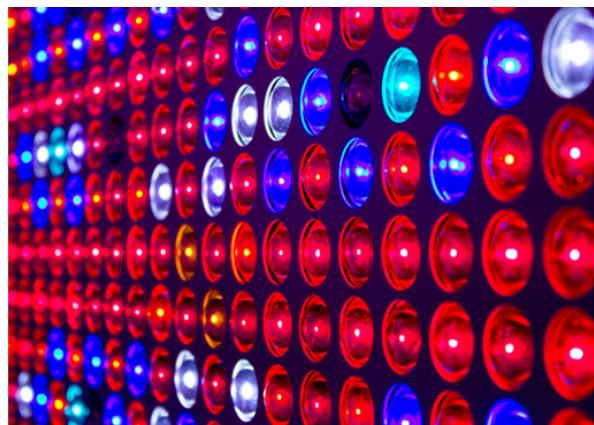


## Infringing XL750 Products

12 45. On information and belief, XL750 products produce white light.

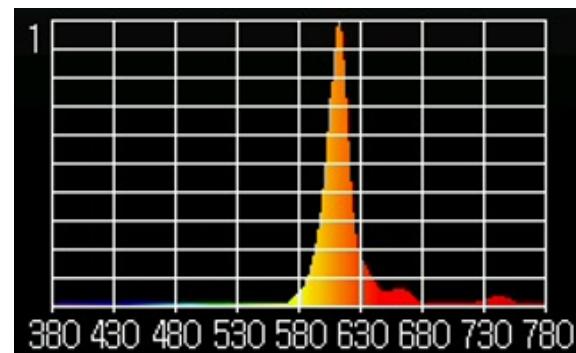
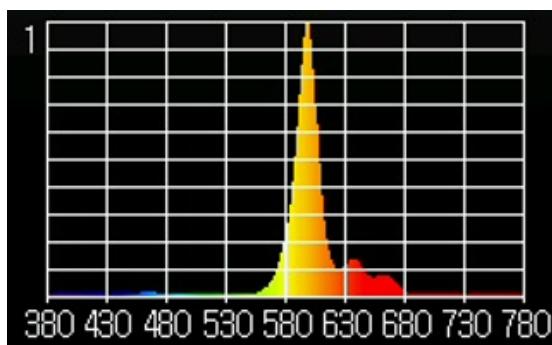
13 46. On information and belief, XL750 products include at least one light emitting  
14 diode; for example, XL750 products include a plurality of light emitting diodes.

15       47. On information and belief, XL750 products include a phosphor-light emitting  
16 diode disposed adjacent to the at least one light emitting diode; for example, XL750 products  
17 include a plurality of phosphor light emitting diodes, each of which comprises a blue light  
18 emitting diode coated with a phosphor in order to produce white light, and each of which is  
19 positioned next to a light emitting diode. (The below image of an illuminated XL750 product is  
20 from an archived version of Defendants' website available at <http://web.archive.org>  
21 /web/20160501072716/https://kindledgrowlights.com/product/best-led-grow-light-k5-xl750/.)

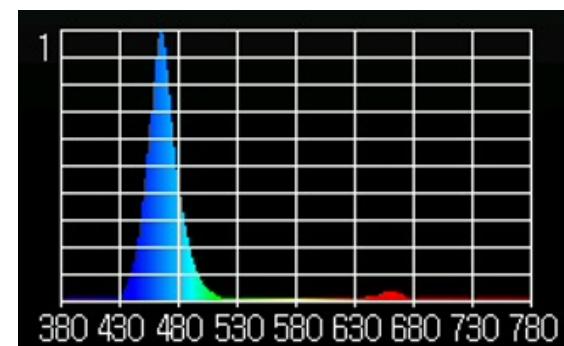
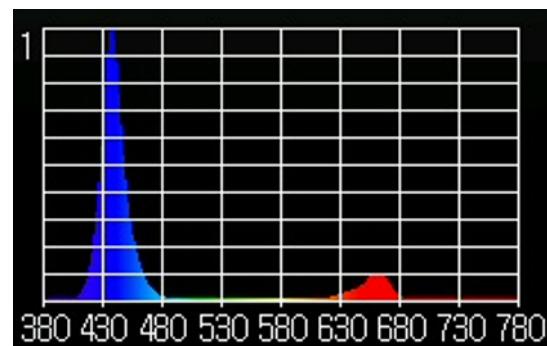


1       48. On information and belief, XL750 products include at least a second light  
 2 emitting diode; for example, the plurality of light emitting diodes include at least two red light  
 3 emitting diodes.

4       49. On information and belief, the light emitted from the light emitting diodes are of  
 5 the same general color but have different spectral wavelengths; for example, the two red light  
 6 emitting diodes have different spectral wavelengths: a first red LED with a spectral peak of  
 7 approximately 598 nm and a second red LED with a spectral peak of approximately 612 nm.



14       50. On information and belief, in the alternative, XL750 products include at least two  
 15 blue light emitting diodes that have different spectral wavelengths: a first blue LED with a  
 16 spectral peak of approximately 437 nm and a second blue LED with a spectral peak of  
 17 approximately 464 nm.



#### Infringing XL300 Products

25       51. On information and belief, XL300 products produce white light. An XL300  
 26 product is shown in the below image from an archived version of Defendants' website  
 27 (<http://web.archive.org/web/20210519031925/https://www.kindledgrowlights.com/products/xl300-led-grow-lights>):



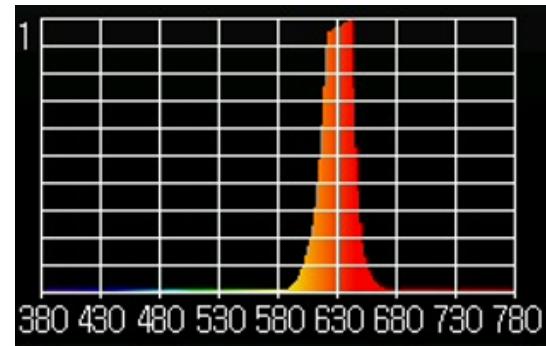
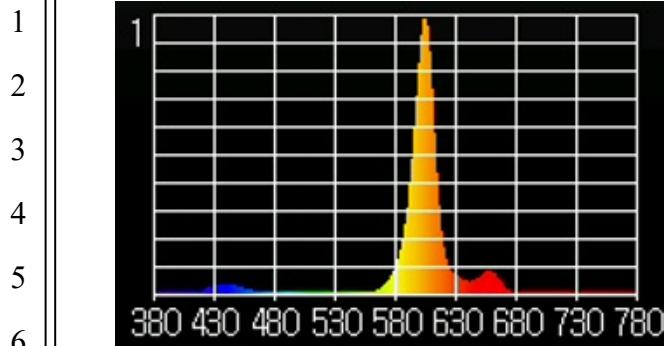
52. On information and belief, XL300 products include at least one light emitting diode; for example, XL300 products include a plurality of light emitting diodes.

53. On information and belief, XL300 products include a phosphor-light emitting diode disposed adjacent to the at least one light emitting diode; for example, XL300 products include a plurality of phosphor light emitting diodes, each of which comprises a blue light emitting diode coated with a phosphor in order to produce white light, and each of which is positioned next to a light emitting diode.

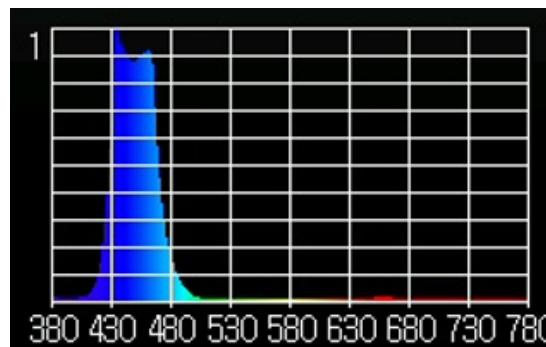
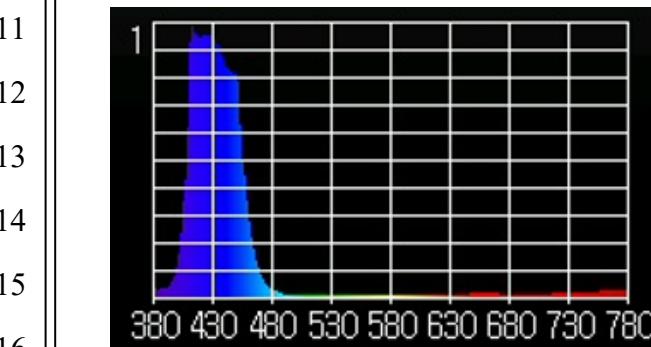


54. On information and belief, XL300 products include at least a second light emitting diode; for example, the plurality of light emitting diodes include at least two red light emitting diodes.

55. On information and belief, the light emitted from the light emitting diodes are of the same general color but have different spectral wavelengths; for example, the two red light emitting diodes have different spectral wavelengths: a first red LED with a spectral peak of approximately 604 nm and a second red LED with a spectral peak of approximately 640 nm.



56. On information and belief, in the alternative, XL300 products include at least two blue light emitting diodes that have different spectral wavelengths: a first blue LED with a spectral peak of approximately 411 nm and a second blue LED with a spectral peak of approximately 433 nm.



### Infringing XL750 WiFi Products

57. On information and belief, XL750 WiFi products produce white light. An XL750 WiFi product is shown in the below image from an archived version of Defendants' website (<http://web.archive.org/web/20201029113843/https://www.kindlegrowlights.com/products/k5-xl750-wifi-led-grow-lights>):



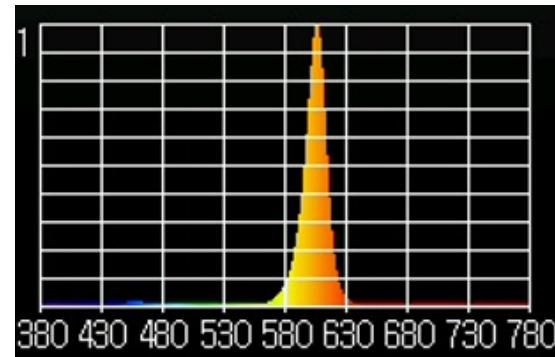
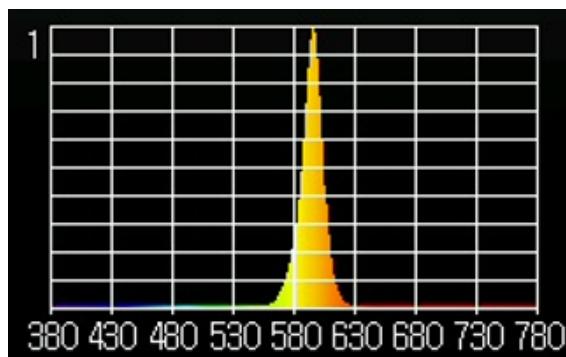
1       58. On information and belief, XL750 WiFi products include at least one light  
 2 emitting diode; for example, XL750 WiFi products include a plurality of light emitting diodes.

3       59. On information and belief, XL750 WiFi products include a phosphor-light  
 4 emitting diode disposed adjacent to the at least one light emitting diode; for example, XL750  
 5 WiFi products include a plurality of phosphor light emitting diodes, each of which comprises a  
 6 blue light emitting diode coated with a phosphor in order to produce white light, and each of  
 7 which is positioned next to a light emitting diode.

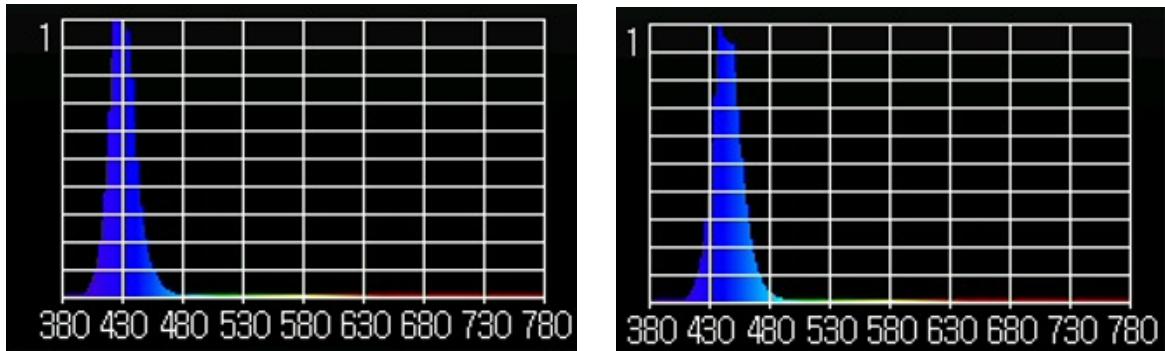


8       60. On information and belief, XL750 WiFi products include at least a second light  
 9 emitting diode; for example, the plurality of light emitting diodes include at least two red light  
 10 emitting diodes.

11       61. On information and belief, the light emitted from the light emitting diodes are of  
 12 the same general color but have different spectral wavelengths; for example, the two red light  
 13 emitting diode have different spectral wavelengths: a first red LED with a spectral peak of  
 14 approximately 595 nm and a second red LED with a spectral peak of approximately 605 nm.



1       62. On information and belief, in the alternative, XL750 WiFi products include at  
 2 least two blue light emitting diodes that have different spectral wavelengths: a first blue LED  
 3 with a spectral peak of approximately 425 nm and a second blue LED with a spectral peak of  
 4 approximately 437 nm.



11       63. The full extent of Defendants' infringement is not presently known to Signify. On  
 12 information and belief, Defendants have made and sold products under different names or part  
 13 numbers that have infringed the '136 Patent in a similar manner. Signify makes this preliminary  
 14 identification of infringing products and infringed claims in Count Two without the benefit of  
 15 discovery or claim construction in this action, and expressly reserves the right to augment,  
 16 supplement, and revise its identifications based on additional information obtained through  
 17 discovery or otherwise.

18       64. Signify has suffered damages as a result of Defendants' infringement of the '136  
 19 Patent in an amount to be determined at trial.

20       65. On information and belief, Defendants have been aware of and have had notice  
 21 and actual knowledge of the '136 Patent and its infringement of the '136 Patent since at least as  
 22 early as May 2016. For example, Defendants and Kip Andersen were notified in a letter dated  
 23 May 17, 2016 that Defendants' L300 products infringed the '136 Patent. This letter serves as  
 24 actual notice for, at least, L300 products and for all substantially similar products, such as  
 25 XL750, XL300, and XL750 WiFi products. Further, upon information and belief, K3 series  
 26 L450, L600, XL450, XL600 products and K5 series XL1000 and XL1000 WiFi products are  
 27 believed to be substantially similar to L300 products and, thus, Defendants and Kip Andersen  
 28 were likewise on actual notice of infringement for these products by the letter of May 17, 2016

1 as of the date of the letter or, if later, the date these products were first made, used, sold, offered  
2 for sale, or imported.

3 66. Defendants' pre-suit knowledge of the '136 Patent and failure to substantively  
4 address Signify's numerous notifications of infringement are sufficient to support a plausible  
5 inference that Defendants' infringement was willful and egregious, warranting enhancement of  
6 damages under 35 U.S.C. § 284, and attorneys' fees and costs incurred under 35 U.S.C. § 285.

7 **COUNT THREE**

8 **INFRINGEMENT OF U.S. PATENT NO. 7,348,604**

9 67. Signify incorporates by reference the allegations in paragraphs 1-14 as if fully set  
10 forth herein.

11 68. On information and belief, Defendants have infringed and are infringing claims  
12 of the '604 Patent, including at least claims 1 and 8, in violation of 35 U.S.C. § 271(a) by  
13 manufacturing, using, offering to sell, selling, and/or importing infringing products.

14 69. Claim 1 of the '604 patent recites:

15 A light-emitting module comprising:

16 (a) a thermally conductive substrate having one or more light-  
17 emitting elements thermally connected thereto, the substrate configured to  
18 operatively couple a source of power to the one or more light-emitting  
19 elements, thereby providing a means for activation of the one or more  
20 light-emitting elements;

21 (b) a heat dissipation element thermally coupled to the thermally  
22 conductive substrate; and

23 (c) a housing element including fastening means for detachably  
24 coupling the housing element to the heat dissipation element, said  
25 substrate being enclosed between the heat dissipation element and said  
26 housing element, said housing element including a transparent region  
27 enabling transmission of light emitted by the one or more light-emitting  
28 elements therethrough.

1 70. Claim 8 of the '604 Patent recites:

2 The light-emitting module according to claim 1, wherein the substrate is a  
3 metal core printed circuit board or a FR4 board.

4 71. On information and belief, Defendants have directly infringed and are directly  
5 infringing, at least, claim 1 and 8 of the '604 Patent by making, using, offering to sell, selling,  
6 and/or importing at least XL300, XL750 WiFi, XD75, and X<sup>2</sup> products in this judicial district  
7 and elsewhere in the United States.

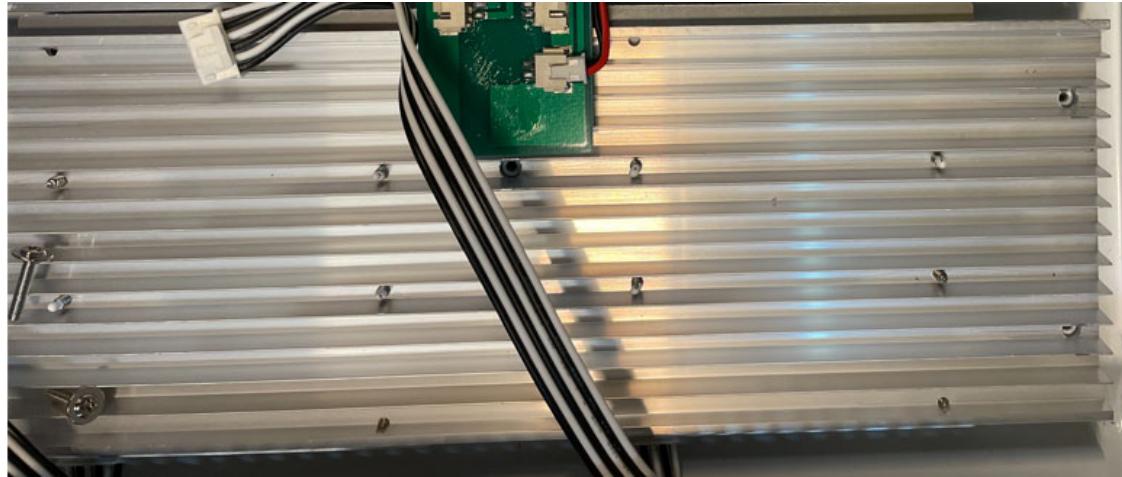
8 **Infringing XL300 Products**

9 72. On information and belief, XL300 products include a light-emitting module.

10 73. On information and belief, XL300 products include a thermally conductive  
11 substrate having one or more light-emitting elements thermally connected thereto, the substrate  
12 configured to operatively couple a source of power to the one or more light-emitting elements,  
13 thereby providing a means for activation of the one or more light-emitting elements; for  
14 example, XL300 products include a thermally conductive substrate formed by a metal-core  
15 printed circuit board thermally connected to LEDs. The metal-core printed circuit board is  
16 configured to operatively couple a source of power—an LED driver—to the LEDs in order to  
17 power and thus activate the LEDs.



25 74. On information and belief, XL300 products include a heat dissipation element  
26 thermally coupled to the thermally conductive substrate; for example, XL300 products include a  
27 heat dissipation element formed by a heat sink, which is thermally coupled to the metal-core  
28 printed circuit board.



9        75. On information and belief, XL300 products include a housing element including  
10 fastening means for detachably coupling the housing element to the heat dissipation element; for  
11 example, XL300 products include a housing element, formed by a metal frame and secondary  
12 optical lenses. The housing element further includes threaded bores and screws to detachably  
13 couple the housing element to the heat sink.



24        76. On information and belief, the substrate is enclosed between the heat dissipation  
25 element and said housing element; for example, the metal-core printed circuit board is enclosed  
26 between the heat sink and the metal frame and secondary optical lenses.



77. On information and belief, the housing element includes a transparent region enabling transmission of light emitted by the one or more light-emitting elements therethrough; for example, the housing element includes transparent regions, formed by secondary optical lenses, that enable transmission of light emitted by LEDs to the outside of the housing element.



78. On information and belief, the substrate is a metal core printed circuit board.



#### **Infringing XL750 WiFi Products**

79. On information and belief, XL750 WiFi products include a light-emitting module, as shown below.

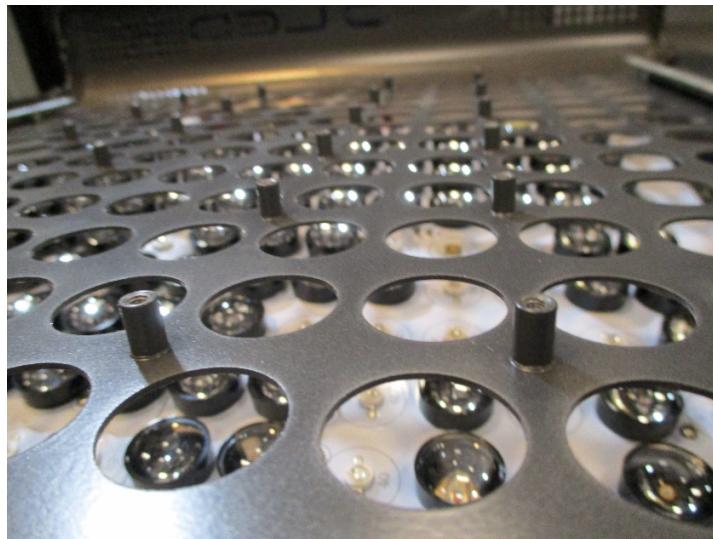
1       80. On information and belief, XL750 WiFi products include a thermally conductive  
2 substrate having one or more light-emitting elements thermally connected thereto, the substrate  
3 configured to operatively couple a source of power to the one or more light-emitting elements,  
4 thereby providing a means for activation of the one or more light-emitting elements; for  
5 example, XL750 WiFi products include a thermally conductive substrate formed by a metal-core  
6 printed circuit board thermally connected to LEDs. The metal-core printed circuit board is  
7 configured to operatively couple a source of power—an LED driver—to the LEDs in order to  
8 power and thus activate the LEDs.



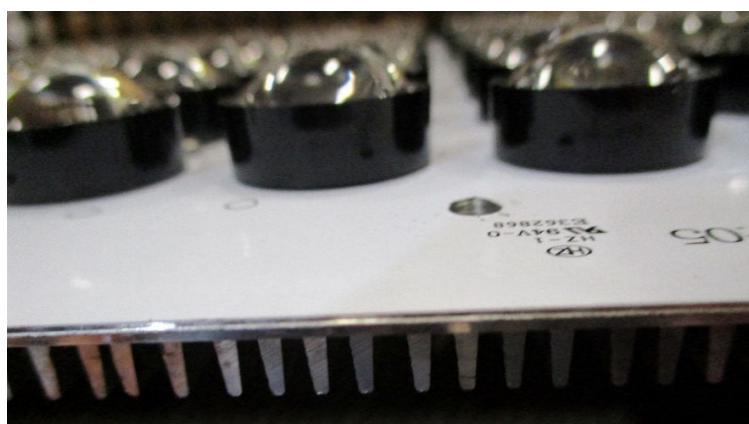
18       81. On information and belief, XL750 WiFi products include a heat dissipation  
19 element thermally coupled to the thermally conductive substrate; for example, XL750 WiFi  
20 products include a heat dissipation element formed by a heat sink, which is thermally coupled to  
21 the metal-core printed circuit board.



1       82. On information and belief, XL750 WiFi products include a housing element  
2 including fastening means for detachably coupling the housing element to the heat dissipation  
3 element; for example, XL750 WiFi products include a housing element, formed by a metal  
4 frame and secondary optical lenses. The housing element further includes threaded bores and  
5 screws to detachably couple the housing element to the heat sink.



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14       83. On information and belief, the substrate is enclosed between the heat dissipation  
15 element and said housing element; for example, the metal-core printed circuit board is enclosed  
16 between the heat sink and the metal frame and secondary optical lenses.



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24       84. On information and belief, the housing element includes a transparent region  
25 enabling transmission of light emitted by the one or more light-emitting elements therethrough;  
26 for example, the housing element includes transparent regions, formed by secondary optical  
27 lenses, that enable transmission of light emitted by LEDs to the outside of the housing element.



85. On information and belief, the substrate is a metal core printed circuit board.



#### **Infringing XD75 Products**

86. On information and belief, XD75 products include a light-emitting module. An XD75 product is shown in the below image, from Defendants' website (available at: <https://www.kindledgrowlights.com/products/xd75-xd150-bar-led-grow-lights>).



87. On information and belief, XD75 products come in two spectral variants: vegetative and flower. Additionally, both spectral variants of XD75 products come in 4ft and 8ft lengths. On information and belief, these spectral variants of XD75 products are structurally identical, differing only in the spectrum of light produced by the LEDs. Further, on information and belief, both lengths of XD75 products are structurally identical apart from length.

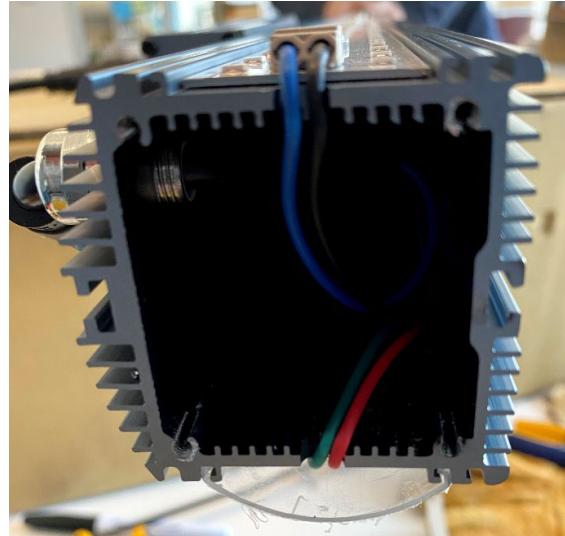
1 Accordingly, all allegations detailed below should be understood to apply equally to the  
 2 vegetative and flower spectral variants and to the 4ft and 8ft lengths of the XD75 products.

3       88. On information and belief, XD75 products include a thermally conductive  
 4 substrate having one or more light-emitting elements thermally connected thereto, the substrate  
 5 configured to operatively couple a source of power to the one or more light-emitting elements,  
 6 thereby providing a means for activation of the one or more light-emitting elements; for  
 7 example, XD75 products include a thermally conductive substrate formed by a metal-core  
 8 printed circuit board thermally connected to LEDs. The metal-core printed circuit board is  
 9 configured to operatively couple a source of power—an LED driver—to the LEDs in order to  
 10 power and thus activate the LEDs.

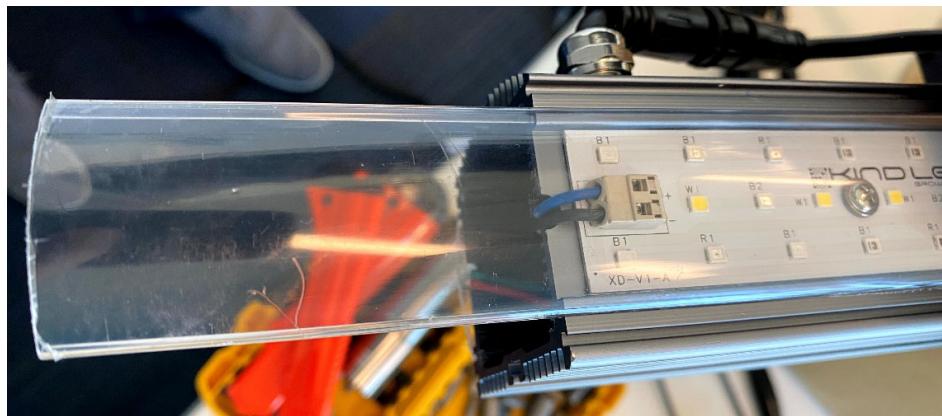


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 18       89. On information and belief, XD75 products include a heat dissipation element  
 thermally coupled to the thermally conductive substrate; for example, XD75 products include a  
 heat dissipation element formed by a heat sink, which is thermally coupled to the printed circuit  
 board.

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 27       90. On information and belief, XD75 products include a housing element including  
 fastening means for detachably coupling the housing element to the heat dissipation element; for  
 example, XD75 products include a housing element, formed by a transparent window. The  
 transparent window includes a flange that detachably couples to the heat sink via contact with a  
 slot formed in the heat sink.



91. On information and belief, the substrate is enclosed between the heat dissipation element and said housing element; for example, the printed circuit board is enclosed between the transparent window and the heat sink.



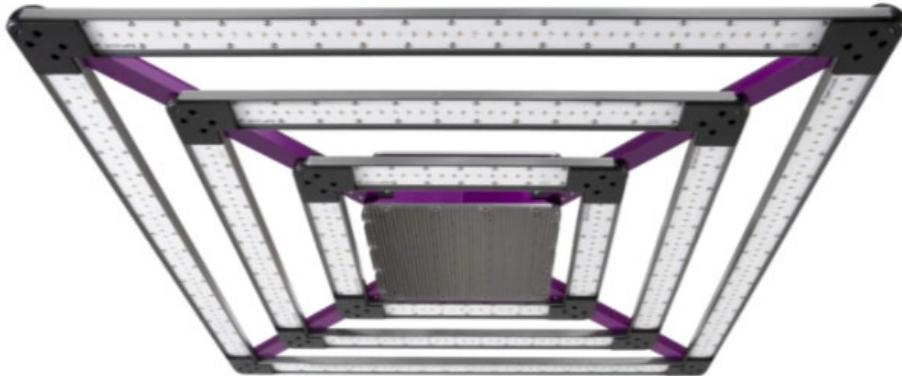
92. On information and belief, the housing element includes a transparent region enabling transmission of light emitted by the one or more light-emitting elements therethrough; for example, the transparent window enables the transmission of light emitted by the LEDs to the outside of the housing element.

93. On information and belief, the substrate is a metal core printed circuit board.



## Infringing X<sup>2</sup> Products

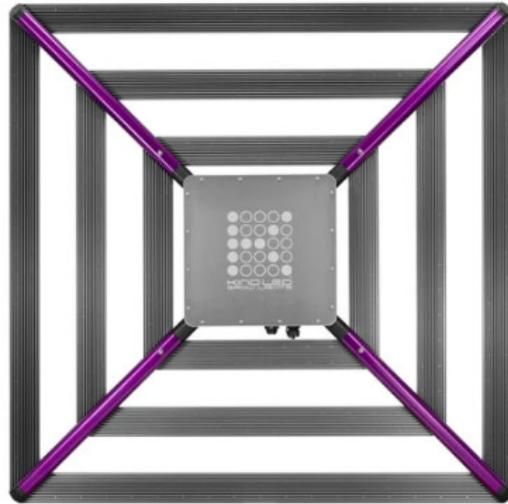
94. On information and belief, X<sup>2</sup> products include a light-emitting module. An X<sup>2</sup> product is shown in the below image, from Defendants' website (available at: <https://www.kindledgrowlights.com/collections/led-grow-lights/products/x2-commercial-led-grow-light>).



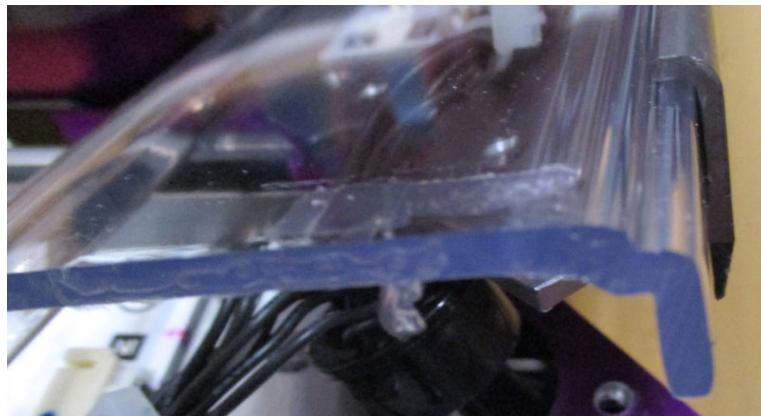
95. On information and belief, X<sup>2</sup> products include a thermally conductive substrate having one or more light-emitting elements thermally connected thereto, the substrate configured to operatively couple a source of power to the one or more light-emitting elements, thereby providing a means for activation of the one or more light-emitting elements; for example, X<sup>2</sup> products include a thermally conductive substrate formed by a metal-core printed circuit board thermally connected to LEDs. The metal-core printed circuit board is configured to operatively couple a source of power—an LED driver—to the LEDs in order to power and thus activate the LEDs.



1       96. On information and belief, X<sup>2</sup> products include a heat dissipation element  
2 thermally coupled to the thermally conductive substrate; for example, X<sup>2</sup> products include a heat  
3 dissipation element formed by a heat sink, which is thermally coupled to the printed circuit  
4 board.

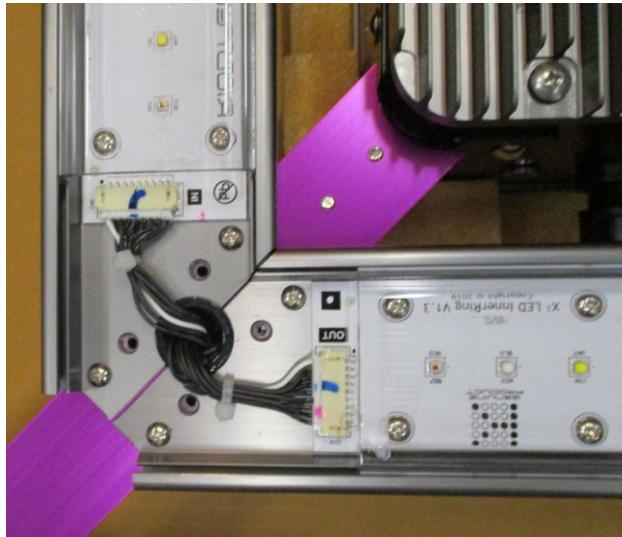


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14       97. On information and belief, X<sup>2</sup> products include a housing element including  
15 fastening means for detachably coupling the housing element to the heat dissipation element; for  
16 example, X<sup>2</sup> products include a housing element, formed by a transparent window. The  
17 transparent window includes a stepped surface that detachably couples to a bracket of the heat  
18 sink that engages with the transparent window through contact with the stepped surface.



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26       98. On information and belief, the substrate is enclosed between the heat dissipation  
27 element and said housing element; for example, the printed circuit board is enclosed between the  
28 transparent window and the heat sink.

1       99. On information and belief, the housing element includes a transparent region  
 2 enabling transmission of light emitted by the one or more light-emitting elements therethrough;  
 3 for example, the transparent window enables the transmission of light emitted by the LEDs to  
 4 the outside of the housing element.



100. On information and belief, the substrate is a metal core printed circuit board.



101. The full extent of Defendants' infringement is not presently known to Signify. On  
 11 information and belief, Defendants have made and sold, or will make and sell, products under  
 12 different names or part numbers that infringe the '604 Patent in a similar manner. Signify makes  
 13 this preliminary identification of infringing products and infringed claims in Count Three  
 14 without the benefit of discovery or claim construction in this action, and expressly reserves the  
 15 right to augment, supplement, and revise its identifications based on additional information  
 16 obtained through discovery or otherwise.

17       102. Signify has suffered and continues to suffer damages as a result of Defendants'  
 18 infringement of the '604 Patent in an amount to be determined at trial.

19       103. Defendants' infringement of the '604 Patent is causing irreparable harm for  
 20 which Signify has no adequate remedy at law unless Defendants are enjoined by this Court.

1 Under 35 U.S.C. § 283, Signify is entitled to a permanent injunction against further infringement  
2 of the '604 Patent.

3 104. On information and belief, Defendants have been aware of and have had notice  
4 and actual knowledge of the '604 Patent and its infringement of the '604 Patent since at least as  
5 early as May 2021. For example, Defendants and Kip Andersen were notified in a letter dated  
6 May 6, 2021 that Defendants' XL300, XL750, and XD75 VEG Linear Grow Light products  
7 infringed the '604 Patent. This letter serves as actual notice for, at least, these products and for  
8 all substantially similar products, such as X<sup>2</sup> products. Further, upon information and belief, K3  
9 series XL450, XL600 products, and K5 series XL1000 WiFi products are believed to be  
10 substantially similar to XL300, XL750, and XD75 VEG Linear Grow Light products and, thus,  
11 Defendants and Kip Andersen were likewise on actual notice of infringement for these products  
12 by the letter of May 6, 2021 as of the date of the letter or, if later, the date these products were  
13 first made, used, sold, offered for sale, or imported.

14 105. Defendants' pre-suit knowledge of the '604 Patent and failure to substantively  
15 address Signify's numerous notifications of infringement are sufficient to support a plausible  
16 inference that Defendants' infringement was willful and egregious, warranting enhancement of  
17 damages under 35 U.S.C. § 284, and attorneys' fees and costs incurred under 35 U.S.C. § 285.

## **COUNT FOUR**

## INFRINGEMENT OF U.S. PATENT NO. 7,766,518

20 106. Signify incorporates by reference the allegations in paragraphs 1-14 as if fully set  
21 forth herein.

22 107. On information and belief, Defendants have infringed claims of the '518 Patent,  
23 including at least claim 1 and 3, in violation of 35 U.S.C. § 271(a) by manufacturing, using,  
24 offering to sell, selling, and/or importing infringing products.

25 108. Claim 1 of the '518 Patent recites:

A light-generating apparatus, comprising:

an LED assembly, comprising:

an assembly substrate; and

a plurality of LED subassemblies coupled to the assembly substrate, each LED subassembly of the plurality of LED subassemblies forming at least one of a mechanical connection, an electrical connection, and a first thermal connection to the assembly substrate;

a plurality of secondary optical components; and a chassis coupled to the LED assembly and including a plurality of chambers in which the plurality of secondary optical components respectively are held, the chassis configured such that each secondary optical component of the plurality of secondary optical components is disposed in an optical path of a corresponding one of the plurality of LED subassemblies;

wherein the LED assembly is disposed between the thermally conductive base plate and the chassis.

109. Claim 3 of the '518 recites:

The apparatus of claim 1, wherein the chassis is a thermally conductive chassis.

15 110. On information and belief, Defendants have directly infringed, at least, claims 1  
16 and 3 of the '518 Patent by making, using, offering to sell, selling, and/or importing at least  
17 XL300 and XL750 WiFi products in this District and elsewhere in the United States.

## Infringing XL300 Products

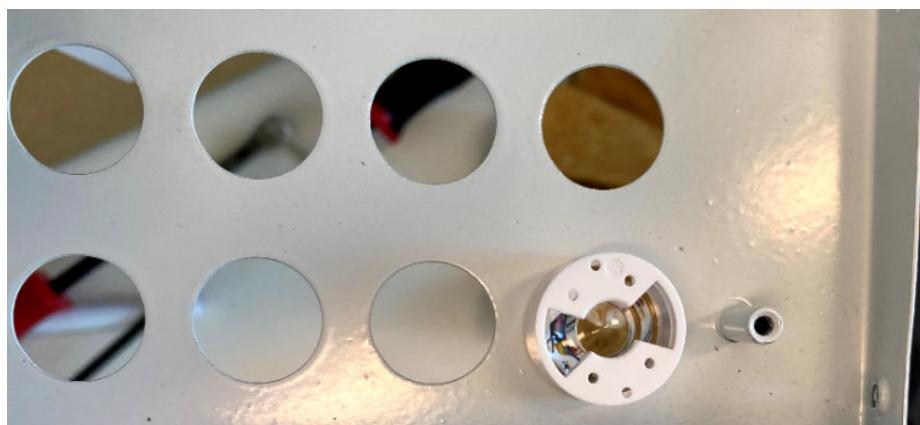
111. On information and belief, XL300 products include a light-generating apparatus.

20 112. On information and belief, XL300 products include an LED assembly,  
21 comprising an assembly substrate and a plurality of LED subassemblies coupled to the assembly  
22 substrate, each LED subassembly of the plurality of LED subassemblies forming at least one of  
23 a mechanical connection, an electrical connection, and a first thermal connection to the assembly  
24 substrate; for example, XL300 products include an LED assembly, comprising: an assembly  
25 substrate formed by a metal-core printed circuit board; and a plurality of LED subassemblies,  
26 each formed by an LED die and a dome lens, are coupled to the metal-core printed circuit board,  
27 each LED die of the plurality of LED dies forming a mechanical connection, an electrical  
28 connection, and a thermal connection to the printed circuit board.

1       113. On information and belief, XL300 products include a plurality of secondary  
 2       optical components; for example, XL300 products include a plurality of secondary optical  
 3       components, each formed by a secondary optical lens.

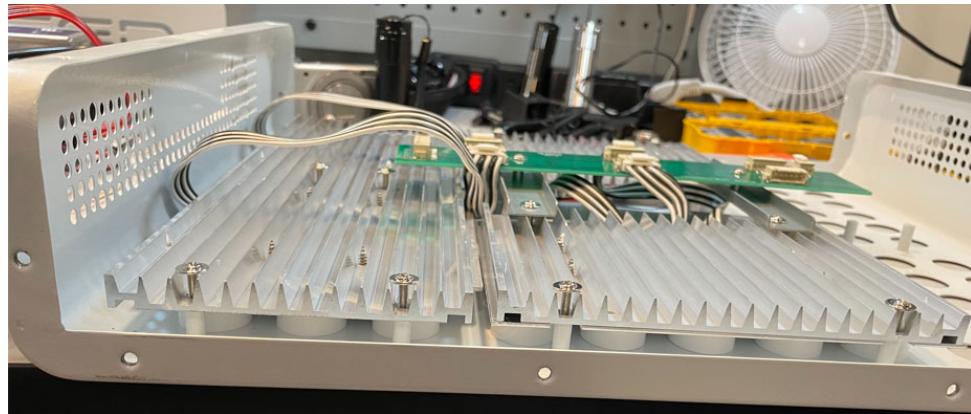


114. On information and belief, XL300 products include a chassis coupled to the LED  
 12 assembly and including a plurality of chambers in which the plurality of secondary optical  
 13 components respectively are held, the chassis configured such that each secondary optical  
 14 component of the plurality of secondary optical components is disposed in an optical path of a  
 15 corresponding one of the plurality of LED subassemblies; for example, XL300 products include  
 16 a chassis formed by a metal frame that is coupled to the metal-core printed circuit board and  
 17 includes a plurality of chambers in which the plurality of secondary optical lenses respectively  
 18 are held. The metal frame is configured such that each cylindrical lens of the plurality of lenses  
 19 is disposed in an optical path of a corresponding one of the plurality of LED dies.

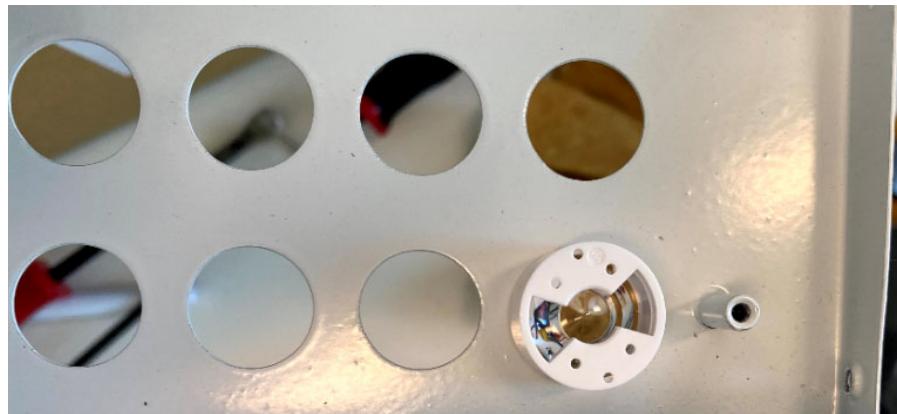


27       115. On information and belief, the LED assembly is disposed between the thermally  
 28       conductive base plate and the chassis; for example, the LED assembly—as formed by the metal-

1 core printed circuit board, LED dies, and dome lenses—is disposed between the heat sink and  
 2 the metal frame.



10 116. On information and belief, the chassis is a thermally conductive chassis; for  
 example, the metal frame is a thermally conductive chassis.



### Infringing XL750 WiFi Products

19 20 117. On information and belief, XL750 WiFi products include a light-generating  
 apparatus.

21 22 118. On information and belief, XL750 WiFi products include an LED assembly,  
 comprising an assembly substrate and a plurality of LED subassemblies coupled to the assembly  
 substrate, each LED subassembly of the plurality of LED subassemblies forming at least one of  
 a mechanical connection, an electrical connection, and a first thermal connection to the assembly  
 substrate; for example, XL750 WiFi products include an LED assembly, comprising: an  
 assembly substrate formed by a metal-core printed circuit board; and a plurality of LED  
 subassemblies, each formed by an LED die and a dome lens, are coupled to the metal-core

1 printed circuit board, each LED die of the plurality of LED dies forming a mechanical  
2 connection, an electrical connection, and a thermal connection to the printed circuit board.

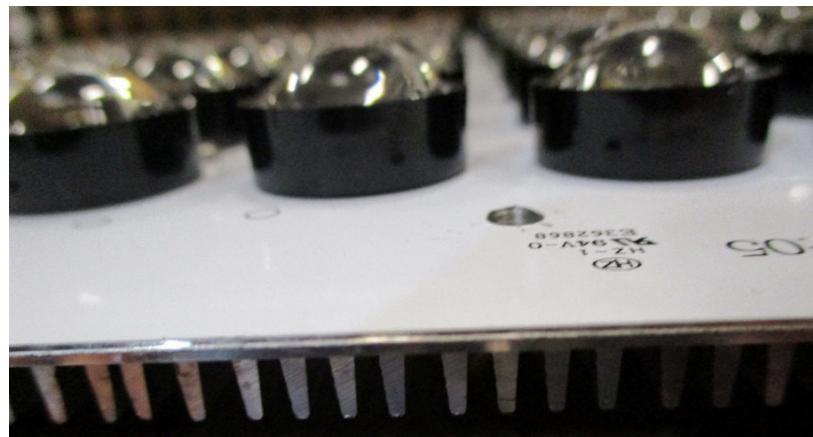
3 119. On information and belief, XL750 WiFi products include a plurality of secondary  
4 optical components; for example, XL750 WiFi products include a plurality of secondary optical  
5 components, each formed by a secondary optical lens.



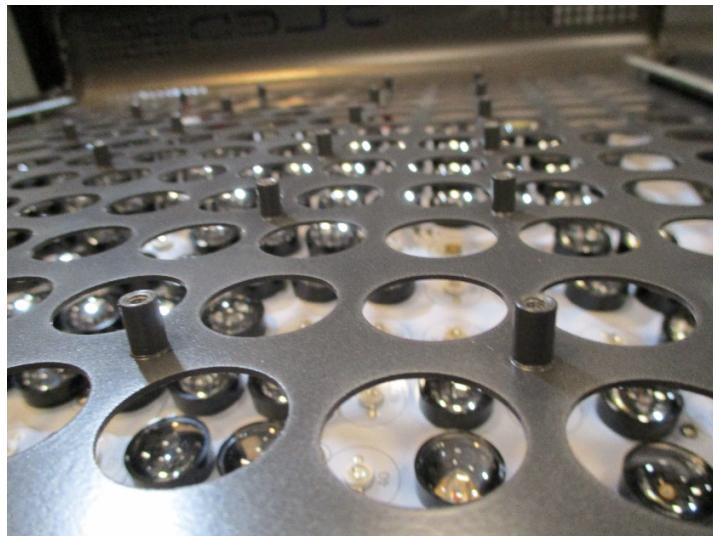
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11 120. On information and belief, XL750 WiFi products include a chassis coupled to the  
13 LED assembly and including a plurality of chambers in which the plurality of secondary optical  
14 components respectively are held, the chassis configured such that each secondary optical  
15 component of the plurality of secondary optical components is disposed in an optical path of a  
16 corresponding one of the plurality of LED subassemblies; for example, XL750 WiFi products  
17 include a chassis formed by a metal frame that is coupled to the metal-core printed circuit board  
18 and includes a plurality of chambers in which the plurality of secondary optical lenses  
19 respectively are held. The metal frame is configured such that each cylindrical lens of the  
20 plurality of lenses is disposed in an optical path of a corresponding one of the plurality of LED  
21 dies.



1 121. On information and belief, the LED assembly is disposed between the thermally  
2 conductive base plate and the chassis; for example, the LED assembly—as formed by the metal-  
3 core printed circuit board, LED dies, and dome lenses—is disposed between the heat sink and  
4 the metal frame.



122. On information and belief, the chassis is a thermally conductive chassis; for example, the metal frame is a thermally conductive chassis.



1       123. The full extent of Defendants' infringement is not presently known to Signify. On  
2 information and belief, Defendants have made and sold, or will make and sell, products under  
3 different names or part numbers that infringe the '518 Patent in a similar manner. Signify makes  
4 this preliminary identification of infringing products and infringed claims in Count Four without  
5 the benefit of discovery or claim construction in this action, and expressly reserves the right to  
6 augment, supplement, and revise its identifications based on additional information obtained  
7 through discovery or otherwise.

8       124. Signify has suffered and continues to suffer damages as a result of Defendants'  
9 infringement of the '518 Patent in an amount to be determined at trial.

10       125. Defendants' infringement of the '518 Patent is causing irreparable harm for  
11 which Signify has no adequate remedy at law unless Defendants are enjoined by this Court.  
12 Under 35 U.S.C. § 283, Signify is entitled to a permanent injunction against further infringement  
13 of the '518 Patent.

14       126. On information and belief, Defendants have been aware of and have had notice  
15 and actual knowledge of the '518 Patent and its infringement of the '518 Patent since at least as  
16 early as May 2021. For example, Defendants and Kip Andersen were notified in a letter dated  
17 May 6, 2021 that Defendants' XL300 and XL750 products infringed the '518 Patent. This letter  
18 serves as actual notice for, at least, these products and for all substantially similar products.  
19 Upon information and belief, K3 series XL450, XL600 products and K5 series XL1000 WiFi  
20 products are believed to be substantially similar to XL300 and XL750 products and, thus,  
21 Defendants and Kip Andersen were likewise on actual notice of infringement for these products  
22 by the letter of May 6, 2021 as of the date of the letter.

23       127. Defendants' pre-suit knowledge of the '518 Patent and failure to substantively  
24 address Signify's numerous notifications of infringement are sufficient to support a plausible  
25 inference that Defendants' infringement was willful and egregious, warranting enhancement of  
26 damages under 35 U.S.C. § 284, and attorneys' fees and costs incurred under 35 U.S.C. § 285.

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## **PRAYER FOR RELIEF**

WHEREFORE, Signify prays for the following judgments and relief:

- (a) A judgment that Defendants have infringed and are infringing the Patents-in-Suit;
- (b) A permanent injunction against Defendants and its affiliates, subsidiaries, employees, agents or anyone acting in privity or concert from infringing the '604 and Patents, including enjoining the making, offering to sell, selling, using, or importing into United States products claimed in any of the claims of the '604 and '518 Patents; using or claiming methods claimed in any of the claims of the '604 and '518 Patents; inducing others and perform methods that infringe any claim of the '604 and '518 Patents; or contributing others using and performing methods that infringe any claim of the '604 and '518 Patents, the expiration of the '604 and '518 Patents;
- (c) An award of damages adequate to compensate Signify for Defendants' patent infringement, and an accounting to adequately compensate Signify for the infringement, but not limited to, lost profits and/or a reasonable royalty;
- (d) An award of pre-judgment and post-judgment interest at the maximum rate allowed by law;
- (e) An order finding that this is an exceptional case and awarding Signify its costs, expenses, disbursements, and reasonable attorneys' fees related to Defendants' patent infringement under 35 U.S.C. § 285 and all other applicable statutes, rules and common law; and
- (f) Such other further relief, in law or equity, as this Court deems just and proper.

## **JURY TRIAL**

In accordance with Rule 38 of the Federal Rules of Civil Procedure, Signify hereby demands a jury trial on all issues triable before a jury.

1 DATED: October 12, 2021

Respectfully Submitted,

2 BARTKO ZANKEL BUNZEL & MILLER

3

4 By: /s/ Alden K.W. Lee

5 Alden K.W. Lee

6 Counsel for Plaintiffs

7 Signify North America Corporation

8 and Signify Holding B.V.

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